

Serial No. 10/693,746

REMARKS

Examiner Ackun has rejected claims 2-10 of the present application. For the reasons which follow, applicant respectfully traverses this rejection of the Examiner. The applicant does, however, wish to extend appreciation to Examiner Ackun for the quite detailed review of the claims of the present invention leading to the finding of patentable subject matter of the originally filed claims of the present application and an indication of the allowability of claims 11 and 12 if rewritten.

Claims 2, 9 and 10 have been amended to overcome the informalities indicated. Thus, it is respectfully submitted that the objection to the claims has been overcome. Favorable reconsideration is respectfully requested.

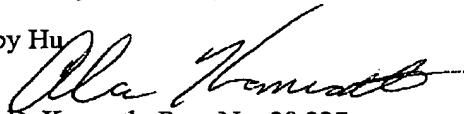
Claim 11 has been rewritten in independent form including all the recitations of base claim 2 and intervening claims 9 and 10. It is respectfully submitted that claim 11 and the claims which depend therefrom are in condition for allowance for the reasons previously recognized by Examiner Ackun. Favorable consideration is respectfully requested.

The Examiner has cited the United States patents listed in NOTICE OF REFERENCES CITED as B, D, E and G in the November 1st Office communication. By the lack of application of these references and others like them within the classes or subclasses searched, the Examiner apparently recognizes the clear patentability of the present invention over any of these references.

Therefore, since the claims of the present application have been shown to include limitations directed to the features of applicant's fastener-driving tool assembly which are neither shown, described, taught, nor alluded to in any of the references cited by the Examiner, whether those references are taken singly or in any combination, the Examiner is requested to allow claims 3-8, 11 and 12, as amended, of the present application and to pass this application to issue.

Respectfully submitted,

Bobby Hu



Alan D. Kamrath, Reg. No. 28,227
NIKOLAI & MERSEREAU, P.A.
Attorneys for Applicant(s)
900 Second Avenue South
Suite 820 International Centre
Minneapolis, MN 55402
Tel: (612) 392-7306
Fax: (612) 349-6556

Dated: May 6, 2005.